

United States Court of Appeals  
for the Fifth Circuit

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No. 22-10996  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

May 10, 2023

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

MARTIN TOVAR-CAMPOS,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:21-CR-376-1

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Before KING, HIGGINSON, and WILLETT, *Circuit Judges.*

PER CURIAM:\*

The attorney appointed to represent Martin Tovar-Campos has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Tovar-Campos has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Tovar-

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\* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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Campos's claims of ineffective assistance of counsel; we therefore decline to consider the claims without prejudice to collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014).

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Tovar-Campos's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, counsel's motion for leave to withdraw is GRANTED, and counsel is excused from further responsibilities herein. The appeal is DISMISSED in part as frivolous, *see* 5TH CIR. R. 42.2, and in part as moot based on Tovar-Campos's completion of his sentence, *see Spencer v. Kemna*, 523 U.S. 1, 7 (1998).